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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,083	07/08/2003	Takaaki Matsumoto	ASA-1142	8317

24956 7590 04/19/2007  
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.  
1800 DIAGONAL ROAD  
SUITE 370  
ALEXANDRIA, VA 22314

EXAMINER
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PESIN, BORIS M

ART UNIT	PAPER NUMBER
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2174

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

ED

**Office Action Summary**

Application No.

10/614,083

Applicant(s)

MATSUMOTO ET AL.

Examiner

Boris Pesin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____                                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____   | 6) <input type="checkbox"/> Other: ____                           |

## **DETAILED ACTION**

### ***Specification***

The abstract of the disclosure is objected to because Line 2 states "fine service meeting respective customers," the phrasing appears to have grammatical problems. Correction is required. See MPEP § 608.01(b).

35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are:

"Information concerning access to the web page is managed in the log 142 according to every provided contents, every customer who has accessed and every web page creator (such as the MR or staff). By using these data in the log 142, the analysis system 162 can analyze as to when and which page is accessed by customers, who created a page accessed the largest number of times, and on the basis of which contents a web page that is the longest in perusal time has been created."

(Page 13).

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 10 and 11 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Independent claim 10 is directed to program code, however that code is not tangibly embodied on a recordable medium, nor is there a processor executing the program code. Program code alone is not statutory.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by O'Flaherty (US 6954758).

In regards to claim 1, O'Flaherty teaches a CRM (Customer Relation Management) system for providing a customer with contents and displaying the contents by using a computer system (See Column 3, Lines 50-59, i.e. *customer relationship management system*), the CRM system comprising:

common contents created for unspecific customers (See Column 7, Lines 7-12, "Users can choose from a set of pre-defined Application Templates 206")

personal contents created for specific customers (See Column 7, Lines 7-12, "Users can ... create ad hoc Application Templates 206, as desired. Further, users can add, modify and delete the steps within the Application Template 206.");

common contents management means for managing the common contents (See Column 8, Lines 3-12, the user is managing the system) ; and personal contents management means for managing the personal contents, wherein the common contents and the personal contents are combined, and thereby information specialized for each customer is generated and displayed (See Column 8, Lines 3-12, based on all of the desired user input, a template is created).

In regards to claim 2, O'Flaherty teaches the CRM system according to claim 1, wherein when combining the common contents and the personal contents, and thereby generating information specialized for each customer, default contents serving as default are generated, and information specialized for each customer is generated by

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way of the default contents (See Column 8, Lines 3-12, "default values" are created and the user is able to change them to his preference to create specialized contents).

In regards to claim 3, O'Flaherty teaches the CRM system according to claim 2, wherein when generating the default contents, with respect to a certain specific customer, contents of the common contents are customized on the basis of a profile of the customer and a profile of a sales task member in charge of the customer (See Column 8, Lines 14-24, a template is created based on the user preferences (profile of a sales task member) and customers most likely to terminate the service).

In regards to claim 4, O'Flaherty teaches the CRM system according to claim 2, wherein each of items in the common contents can be classified and defined as to whether it can be customized as default (See Column 8, Lines 61-65, "the Application Template 206 prompts the user to optionally subset the list of Attributes to be returned in the Profile, to be later used as input variables for building the model (the initial default is "all," but this may be modified by the user based on all of the desired user input, a template is created).")

In regards to claim 5, O'Flaherty teaches the CRM system according to claim 2, further comprising information related to each customer, wherein when generating information specialized for each customer, information specialized for each customer is generated by referencing the information related to the customer (See Column 8, Lines 55-58, *Lost California Customers and Rich California Customers*).

In regards to claim 6, O'Flaherty teaches the CRM system according to claim 5, wherein when generating information specialized for each customer, information related

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to the customer is retrieved from the common contents and presented as a subject of customization (See Column 8, Lines 29-36, "The CRM system according to claim 5, wherein when generating information specialized for each customer, information related to the customer is retrieved from the common contents and presented as a subject of customization.")

Claims 7 and 8 are similar in scope to claims 1 and 2 respectively; therefore they are rejected under similar rationale.

In regards to claim 9, O'Flaherty teaches the portal site creation method according to claim 7, wherein the step of displaying the information specialized for each customer on a portal site comprises the step of: displaying the information specialized for each customer with emphasis (See Figure 4, Elements 400-430).

Claims 10, 11, and 12 are similar in scope to claims 1, 2, and 5 respectively; therefore they are rejected under similar rationale.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Parker US 6832226

Shows the usage of Microsoft Access in creating forms.

Chelliah et al. US 5710887

Teaches configuring customer databases.

***Inquiry***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Pesin whose telephone number is (571) 272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BP

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